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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,)
9)
Plaintiff,) Case No. CR04-549-JLR
10 v.) **PROPOSED FINDINGS OF**
11 DUSTIN JORDAN,) **FACT AND DETERMINATION**
12 Defendant.) **AS TO ALLEGED**
VIOLATIONS OF SUPERVISED
RELEASE

13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on September
15 9, 2009. The defendant appeared pursuant to a warrant issued in this case. The United States
16 was represented by Ye-Ting Woo, and defendant was represented by Kevin Peck. Also present
17 was U.S. Probation Officer Donald E. Moon. The proceedings were digitally recorded.

18 SENTENCE AND PRIOR ACTION

19 Defendant was sentenced on December 12, 2005 by the Honorable James L. Robart for
20 Possession with Intent to Distribute more than 50 kilograms of Marijuana. He received 21
21 months of imprisonment and 5 years of supervised release.

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1 PRESENTLY ALLEGED VIOLATIONS AND
2 DEFENDANT'S ADMISSION OF THE VIOLATION

3 In a petition dated August 3, 2009, U.S. Probation Officer Donald E. Moon alleged that
4 defendant violated the following conditions of supervised release:

- 5 1. Failing to submit truthful written reports for the months of March, April, and May
6 2009, in violation of standard condition number 2.
7 2. Possession of methamphetamine on or about August 3, 2009, in violation of
8 standard condition number 7.
9 3. Possession of drug paraphernalia on or about August 3, 2009, in violation of
10 standard condition number 7.
11 4. Failing to notify the probation office at least 10 days prior to a change in residence,
12 on or before August 3, 2009, in violation of standard condition number 6.
13 5. Manufacturing Marijuana, in violation of 21 U.S.C. § 841(b)(1)(D), on or before
14 August 3, 2009, in violation of a general condition.

15 Defendant admitted the above violations, waived any hearing as to whether they occurred,
16 and was informed the matter would be set for a disposition hearing on October 7, 2009 at 1:30
17 p.m. before District Judge James L. Robart.

18 RECOMMENDED FINDINGS AND CONCLUSIONS

19 Based upon the foregoing, I recommend the court find that defendant has violated the
20 conditions of his supervised release as alleged above, and conduct a disposition hearing.

21 DATED this 9th day of September, 2009.

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23 BRIAN A. TSUCHIDA
United States Magistrate Judge